

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

CEDRIC CAÑAS MAILLARD

Defendant.

No. 15 Civ. 06380 (RA)

USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
FILED: AUG 19 2016

**[PROPOSED] FINAL JUDGMENT BY DEFAULT**

RONNIE ABRAMS, United States District Judge:

WHEREAS, on May 3, 2016, Plaintiff United States Securities and Exchange Commission (the "Commission" or "SEC") certified to the Court that it served the Complaint and Summons on Defendant Cedric Cañas Maillard ("Cañas") through his attorney in Madrid, Spain on April 21, 2016;

WHEREAS, Defendant Cañas was required to plead or otherwise respond to the SEC's Complaint on or before May 12, 2016;

WHEREAS, Defendant Cañas failed to answer or otherwise plead in response to the SEC's Complaint although the deadline for a responsive pleading has expired;

WHEREAS, on June 20, 2016, the Clerk of the Court entered a certificate of default as to Defendant Cañas (Docket #20);

WHEREAS, on July 14, 2016, the Commission filed a motion for default judgment; and

WHEREAS, the Court, having considered: (1) the Complaint and Summons; (2) the Declaration of Frank D. Goldman in Support of Plaintiff Securities and Exchange Commission's

Motion for Default Judgment pursuant to Fed. R. Civ. P. 55(b)(2), Local Civil Rule 55.2(b), and this Court's Individual Rules of Practice in Civil Cases (Rule 4.F and Attachment A) ("Goldman Decl."); (3) the Declaration of R. Kevin Barrett in Support of Plaintiff Securities and Exchange Commission's Motion for Default Judgment (attached to the Goldman Decl.); (4) the Certificate of Default; and (5) other documents and records filed in support of the Commission's motion, finds that:

- A. This Court has jurisdiction over Defendant Cañas and the subject matter of this action; and
- B. Defendant Cañas is in default.

**I.**

**IT IS ORDERED, ADJUDGED, AND DECREED** that Defendant is liable for disgorgement of \$278,156.97, representing profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$56,543.99, and a civil penalty in the amount of \$834,470.91 pursuant to Section 21A of the Exchange Act. Defendant shall satisfy this obligation by paying \$1,169,171.87 to the Securities and Exchange Commission within 14 days after entry of this Final Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to

Enterprise Services Center  
Accounts Receivable Branch  
6500 South MacArthur Boulevard  
Oklahoma City, OK 73169

and shall be accompanied by a letter identifying the case title, civil action number, and name of this Court; Cedric Cañas Maillard as a defendant in this action; and specifying that payment is made pursuant to this Final Judgment.

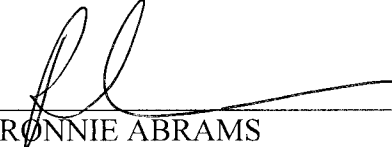
Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the Commission's counsel in this action. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to Defendant. The Commission shall send the funds paid pursuant to this Final Judgment to the United States Treasury. Defendant shall pay post judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

**II.**

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that this Court shall retain jurisdiction over this action for the purpose of enforcing the terms of this Final Judgment.

SO ORDERED.

Date: Aug. 19, 2016  
New York, NY

  
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RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE